

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

_____	)	
	)	
GIUSEPPE MAROTTA et al.,	)	
	)	
Plaintiffs	)	
	)	
v.	)	C.A. NO. 05-10032-MEL
	)	
SUFFOLK COUNTY,	)	
Defendant	)	
_____	)	

**MOTION TO AMEND COMPLAINT**  
**TO ADD ADDITIONAL PARTY PLAINTIFF**

Now come the Plaintiffs in this action and move to amend their Complaint by adding as party plaintiffs, DAVID MAHONEY and JOHN CREAMER, who have today filed individual consent forms in connection with the Plaintiffs ELEVENTH NOTICE OF FILING OF FLSA CONSENTS TO SUE (these forms will hereinafter be referred to as Consent(s). )”In support thereof, the Plaintiffs state that these individuals have been correction officers employed by the Defendant Suffolk County, and members of a labor organization, AFSCME Council 93, AFL-CIO, Local 419 (the Union ).” The Union and the Defendant Suffolk County are and have been parties to a collective bargaining agreement, which sets forth terms and conditions of employment that uniformly apply to corrections officers and certain other employees assigned to the Suffolk County House of Correction, including hourly rates of pay, and circumstances in which officers are entitled to receive overtime pay and the addition of certain premiums to their normal hourly rate of pay (hereinafter, premium pay ).” These individuals, therefore, are similarly situated

employees within the meaning of 29 U.S.C. § 216(b), and are therefore entitled to intervene in this case as party plaintiffs by filing their Consents. A copy of the Plaintiffs' Amended Complaint is attached hereto.

Respectfully submitted,

THE PLAINTIFFS

By their attorney,

/s/ Daniel W. Rice

Daniel W. Rice  
GLYNN, LANDRY,  
HARRINGTON & RICE, LLP  
10 Forbes Road  
Braintree, MA 02184  
(781) 849-8479  
BBO # 559269

Dated: June 3, 2005